

STATE OF RHODE ISLAND AND  
PROVIDENCE PLANTATIONS,  
DEPARTMENT OF HEALTH,  
BOARD OF MEDICAL LICENSURE AND  
DISCIPLINE

C03-164

In the Matter Of:  
Chun K. Lee, M.D.  
License #: MD 05140

**Consent Order**

Pursuant to R.I. General Laws §5-37-5.2, 1956, as amended, (1999 Reenactment) the Board of Medical Licensure and Discipline (hereinafter referred to as "Board") has received information from the Medicaid Fraud and Patient Abuse Unit of the Department of Attorney General indicating that the Respondent wrote prescriptions for controlled substances inappropriately. The following constitutes the Investigating Committee's Findings of Fact:

**Findings of Fact**

1. The Respondent, Chun K. Lee, M.D., is a 1965 graduate of Yonsei University School of Medicine, Seoul, South Korea. He has been licensed to practice medicine in the State of Rhode Island since 1977. His primary specialty is Family Practice.
2. A review of the Respondent's medical records and controlled substance prescribing patterns reveals that the Respondent saw certain patients twice per month while they were being maintained on controlled substances. There is insufficient information in

the medical records of those patients to justify the initiation of the drug regimen and little indication noted for continuing the regimen. Additionally, the progress notes demonstrate an inadequate medical follow up for symptoms that are being treated. The records do not meet the minimal standards for acceptable medical records as described in § 11.4 of the Rules and Regulations for the Licensing and Discipline of Physicians (R5-37-MD/DO).

3. Respondent's practice of treating patients with controlled substances does not meet the minimal standards of acceptable care and is in violation of RIGL § 5-37-5.1(19) and (24).

**The parties agree as follows:**

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The Respondent is a physician with an active allopathic license No. 5140. Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.

- (1) Respondent has read this Consent Order and understands that it is a proposal of an Investigating Committee of the Board and is subject to the final approval of the Board. This Consent Order is not binding on Respondent until final ratification by the Board.
- (2) Respondent hereby acknowledges and waives:
  - a. The right to appear personally or by counsel or both before the Board;

- b. The right to produce witnesses and evidence in his behalf at a hearing;
  - c. The right to cross examine witnesses;
  - d. The right to have subpoenas issued by the Board;
  - e. The right to further procedural steps except for specifically contained herein;
  - f. Any and all rights of appeal of this Consent Order;
  - g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
  - h. Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to review adequately this Consent Order;
  - i. Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order.
- (3) Acceptance of this Consent Order constitutes an acknowledgement by the Respondent that the findings of fact were made by the Board.
- (4) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and by the Board.
- (5) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.
- (6) The Respondent surrenders his license to prescribe controlled substances in the State of Rhode Island. Additionally, Respondent hereby surrenders

his Drug Enforcement Agency (DEA) certificate. Additionally,

Respondent agrees that he will retire from the practice of medicine no later

than June 30, 2005.

Signed this 12<sup>th</sup> day of July, 2004.

Chun K. Lee, MD

Chun K. Lee, M.D.

Ratified by the Board of Medical Licensure and Discipline at a meeting held

on July 14, 2004.

Patricia A. Nolan MD, MPH

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Director of Health